

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

ANTONE L. KNOX,

Petitioner,

-vs-

MIKE CARPENTER, Warden,

Respondent.

Case No. CIV-19-0092-F

**ORDER**


The Report and Recommendation entered by Magistrate Judge Suzanne Mitchell (doc. no. 8, the Report) recommends transfer of this action, which is brought pursuant to 28 U.S.C. § 2241. In furtherance of justice, the Report recommends transfer to the United States District Court for the Eastern District of Oklahoma, as this action attacks the execution of petitioner's sentence rather than its validity, and must therefore be filed in the district where the petitioner is confined. Petitioner is confined at Oklahoma State Penitentiary in McAlester, Oklahoma, which is within the territorial jurisdiction of the Eastern District of Oklahoma.

In response to the Report, petitioner has filed a motion to transfer. Doc. no. 9. The motion states that petitioner does not object to transfer as recommended by the magistrate judge. Accordingly, petitioner asks the court to transfer this action, without further delay, to the Eastern District of Oklahoma.

In these circumstances it is clear that petitioner has no objection to the Report. Having reviewed the Report, and with there being no objection to it from the petitioner, the court finds that it agrees with the Report and that transfer is in the interests of justice.

Accordingly, the Report is **ACCEPTED, ADOPTED** and **AFFIRMED**, and petitioner's motion for transfer is **GRANTED**. This action (including the pending motion for leave to proceed in forma pauperis, doc. no. 2) is hereby **TRANSFERRED** to the United States District Court for the Eastern District of Oklahoma.

IT IS SO ORDERED this 11<sup>th</sup> day of February, 2019.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE